

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA, et al.,

v.

AMERICAN EXPRESS CO., et al.

Case No. 10-CV-04496-NGG-RER

IN RE AMERICAN EXPRESS ANTI-
STEERING RULES ANTITRUST
LITIGATION (II)

Master File No.: 11-MD-02221-NGG-RER

This Document Relates to: ALL ACTIONS

[PROPOSED] AMENDED SCHEDULING ORDER

The following discovery order shall be in place, and supersedes previous scheduling orders in the cases:

1. The last day for the amendment of the pleadings or the addition of parties to these actions was March 16, 2011.
2. The last day for the exchange of initial disclosures was April 14, 2011.
3. No new document requests shall be propounded after November 18, 2011 without leave of Court upon a showing of good cause.
4. No later than February 17, 2012, the parties shall submit a joint stipulation and proposed deposition discovery coordination order outlining the number of depositions (or deposition hours) each side will have through the remainder of fact discovery. If the parties cannot agree, Defendants and each group of Plaintiffs shall instead submit a status report regarding their position and their own version of the proposed deposition discovery coordination order.
5. All document discovery shall be completed by March 2, 2012. This date shall not be extended except for unforeseen circumstances.
6. Any proposed or joint expert discovery coordination order(s) must be filed by August 24, 2012.

7. All fact discovery shall be completed by August 31, 2012.
8. The parties shall serve expert reports on the subjects for which they bear the burden of proof at trial by October 19, 2012.
9. The parties shall serve any rebuttal expert reports by December 7, 2012.
10. Any sur-rebuttal reports shall be served by January 25, 2013.
11. All depositions of expert witnesses shall be taken between February 4, 2013 and March 1, 2013.
12. All expert discovery shall be completed by March 1, 2013.
13. An in-person status conference is set for October 12, 2011 at 10:00 a.m. regarding third party confidentiality objections and, if necessary, discovery issues. A joint status report for the October 12 status conference is due on October 5, 2011.
14. An in-person status conference is set for January 4, 2012 at 2:00 p.m. A joint status report and fully briefed discovery motions (if any) for the January 4 conference are due on December 23, 2011; opening briefs are due on December 16, 2011.
15. Additional conferences to be set by the Court as needed.
16. The Court shall set a deadline for a joint pre-trial order and a date for a final pre-trial conference after taking into account the anticipated dispositive and class certification motions.
17. Any dispositive motions for class certification shall be filed and briefed on a schedule to be set by the Court.
18. Except as expressly provided above, the deadlines set forth herein may be extended upon a showing of good cause.

SO ORDERED.

Dated: _____
Brooklyn, New York

Ramon E. Reyes, Jr.
United States Magistrate Judge